

## Article - Environment

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§9–1110.

(a) (1) In this section the following words have the meanings indicated.

(2) “Community sewerage system” means a publicly or privately owned sewerage system that serves at least two lots.

(3) “Controlling authority” means a unit of government, a body public and corporate, or an intercounty agency authorized by the State, a county, or a municipal corporation to provide for the management, operation, and maintenance of a community sewerage system, shared facility, or multiuse sewerage system.

(4) “Shared facility” means a sewerage system that:

(i) Serves more than one:

1. Lot and is owned in common by the users;
2. Condominium unit and is owned in common by the users or by a condominium association;
3. User and is located on individual lots owned by the users; or
4. User on one lot and is owned in common by the users;

(ii) Is located wholly or partly on any of the common elements of a condominium; or

(iii) Serves a housing cooperative or other multiple ownership cooperative.

(b) This section may not be construed as requiring a local jurisdiction to:

(1) Be a controlling authority; or

(2) Authorize or allow the use of a shared facility or a community sewerage system within the local jurisdiction.

(c) A shared facility or community sewerage system may be approved only if the system:

(1) Is managed, operated, and maintained by:

(i) A controlling authority; or

(ii) A third party under contract with the controlling authority;

and

(2) Discharges:

(i) To the surface waters of the State in accordance with a permit issued under § 9–323 of this title;

(ii) By way of land application under a nutrient management plan required under § 8–803.1 of the Agriculture Article that assures 100% of the nitrogen and phosphorus in the applied effluent will be taken up by vegetation; or

(iii) By way of an on–site sewerage system.

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